

BEFORE THE IDAHO STATE ATHLETIC COMMISSION

In the Matter of the License of:

EDDIE F. BELEN,
License No. ATMA-289,

Respondent.

Case No. ATC-2008-1

FINAL ORDER

THIS MATTER is before the Commission for consideration of formal discipline against Respondent Eddie F. Belen. Due to Respondent's failure to answer or appear in this matter, a Default Order was issued on June 11, 2008. The factual allegations set forth in the Complaint against Respondent were deemed true, and therefore, no formal hearing was held. The Hearing Officer issued his Findings of Fact, Conclusions of Law, on September 10, 2008.

The Commission, having conducted an independent review of the record and having considered the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and all other matters of record, and good cause appearing therefor, the Board adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. Default is hereby entered as against Respondent, and the Hearing Officer's Findings of Fact and Conclusions of Law are hereby adopted and incorporated herein by this reference.

2. That the factual allegations set forth in the Complaints against this Respondent shall be deemed true.

3. That Respondent's actions constitute a violation of the Rules of the State

FINAL ORDER - 1.

Athletic Commission, IDAPA 03.01.01.900.01d (the use of a stimulant before or during an event, by a combatant is prohibited). The Board therefore imposes the following disciplinary sanctions upon Respondent:

- a. That Respondent's license shall be suspended on the date of this Order.
- b. That prior to reinstatement of his license, Respondent shall set up and participate in a Board approved random drug testing program, at his own expense. Results of said random drug tests shall be sent directly from the drug testing facility to the Bureau of Occupational Licenses. The duration and frequency of such testing shall be within the Commission's discretion.
- c. That prior to reinstatement of his license, Respondent shall meet with the Board and provide evidence of substance abuse rehabilitation. The Board will evaluate Respondent's compliance with the conditions of this order, and determine whether additional restrictions or conditions are appropriate for reinstatement of Respondent's license. This is the Final Order of the Board.
- c. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (*See*, Idaho Code Section 67-5247(4)).
- d. Pursuant to Idaho Code Sections 67-5270 and 57-5272, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court

FINAL ORDER - 2.

of the county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

e. An appeal must be taken within twenty-eight (28) days: (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. (See, Idaho Code Section 67-5273.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

4. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 21st day of April, 2009.

IDAHO STATE ATHLETIC COMMISSION

By Tom Katsilometes
Tom Katsilometes, Commissioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21st day of April, 2009, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

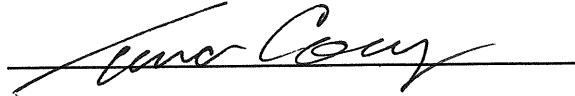
Eddie F. Belen
4581 Wylie Ln
Boise, ID 83703

☒ U.S. Mail
☐ Hand Delivered
☐ Federal Express
☐ Fax Transmission

Karin Magnelli
Deputy Attorney General
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☒ U.S. Mail
☐ Hand Delivered
☐ Federal Express
☐ Fax Transmission

Tana Cory, Bureau Chief



M:\IBOL\Athletic Commission\Documents\4773_03 Belen Final Order.wpd